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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,853	05/31/2001	Sashikanth Chandrasekaran	50277-1653	1436
29989	7590	08/18/2004		
HICKMAN PALERMO TRUONG & BECKER, LLP 1600 WILLOW STREET SAN JOSE, CA 95125			EXAMINER MCLEAN MAYO, KIMBERLY N	
			ART UNIT 2187	PAPER NUMBER
DATE MAILED: 08/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/871,853

Applicant(s)

CHANDRASEKARAN ET AL.

Examiner

Kimberly N. McLean-Mayo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14,23 and 41 is/are allowed.
- 6) ☒ Claim(s) 1-4,7-10,15-19,24,25,28-31 and 34-37 is/are rejected.
- 7) ☒ Claim(s) 5,6,11-13,20-22,26,27,32,33 and 38-40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The enclosed detailed action is in response to the Information Disclosure Statement submitted on February 11, 2003, the Preliminary Amendment submitted on September 22, 2003 and the Application submitted on May 31, 2003.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 7-10, 15-19, 24-25, 28-31 and 34-37 are rejected under 35 U.S.C. 102(b) as being anticipated by the submitted prior art Masden et al. (WOPN: 91/03024).

Regarding claims 1 and 28, Masden discloses sending from a requestor to a master of the resource a lock mode request for a lock mode on the resource (Page 6, L 25-28); receiving the resource at the requestor from a holder of the resource (Page 6, L 28-30); and accessing the resource as if the requestor had been granted the lock mode request without waiting to receive an express lock mode grant from the master (Page 6, L 30-32). Additionally, regarding claim 28, all hardware devices are controlled by software and thus it is evident that the above features are executed via instructions stored on a computer readable medium.

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Regarding claims 2, 16 and 29, Masden discloses detecting that the step of receiving the resource at the requestor has occurred (Page 6, L 32-22 – when the unlock and close file instruction is received, it is detected that the requestor received the resource); and sending a lock assume message from the requestor to the master to inform the master that the requestor has assumed the lock mode relative to the resource (Page 6, L 32-33 – when the workstation sends an unlock instruction, the master is informed that the requestor had assumed the lock mode relative to the resource).

Regarding claims 3, 9-10, 18-19, 30 and 35-37, Masden discloses receiving at a holder an inform lock holder message that a requestor needs the resource where the holder currently holds the resource and a first lock mode on the resource and transferring the resource to the requestor [via the master/server] in response to receiving the inform lock holder message without sending a status message to a master of the resource wherein the status message is a down convert message or a release lock message (Page 8, L 20-24); and updating a lock mode record, maintained by the holder to indicate that the holder has down-converted from the first lock mode to a second lock mode for the resource (Page 8, L 24 – the holder updates the record to a sharing mode).

Additionally, regarding claims 30 and 35, all hardware devices are controlled by software and thus it is evident that the above features are executed via instructions stored on a computer readable medium.

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Regarding claims 4, 25 and 31, Masden discloses sending an update lock message to the master, wherein the update lock message indicates the second mode for the resource (Page 14, Lines 4-10).

Regarding claims 7 and 34, Masden discloses sending a lock access message from the holder to a master (Page 10, line 37 – the lock access message is the oplock_broken message).

Regarding claim 8, Masden discloses receiving at a master a request message which indicates that a requestor needs a particular resource of a plurality of resources, where the master maintains a plurality of lock mode records corresponding to the plurality of resources (Page 6, L 25-28; Page 8, L 18-24 – the server forwards requests to the workstation owning the file and thus it is evident that the server maintains information regarding which workstation stores which data); sending from the master to a holder an inform lock holder message to indicate to the holder that the requestor needs the particular resource (Page 8, L 20-24); receiving a lock access message from the requestor where the lock access message indicates that the requestor has assumed a lock mode relative to the particular resource (Page 6, L 32-33 – when the workstation sends an unlock instruction, the master is informed that the requestor had assumed the lock mode relative to the resource); and performing an update to a particular lock mode record of the plurality of lock mode records in response to receiving the lock access message, wherein the update indicates that the requestor has assumed the lock mode on the particular resource (Page 8, L 24).

Regarding claim 15, Masden discloses a processor [processor within the file server]; a computer readable medium storing instructions [storage medium for storing controls instructions/code] which when executed by the processor causes the processor to perform the following:

sending from a requestor to a master of the resource a lock mode request for a lock mode on the resource (Page 6, L 25-28); receiving the resource at the requestor from a holder of the resource (Page 6, L 28-30); and accessing the resource as if the requestor had been granted the lock mode request without waiting to receive an express lock mode grant from the master (Page 6, L 30-32).

Regarding claim 17, Masden discloses a processor (processor within the file server); a computer readable medium coupled to the processor containing a particular lock mode record of a plurality of lock mode records corresponding to a lock mode of a particular resource of a plurality of resources, where a master maintains the plurality of lock mode records corresponding to the plurality of resources wherein the computer readable medium stores instructions (storage medium for storing controls instructions/code) of the computer system which when executed by the processor cause the processor to perform the computer implemented steps of :

receiving at a master a request message which indicates that a requestor needs a particular resource of a plurality of resources, where the master maintains a plurality of lock mode records corresponding to the plurality of resources (Page 6, L 25-28; Page 8, L 18-24 – the server forwards requests to the workstation owning the file and thus it is evident that the server maintains information regarding which workstation stores which data); sending from the master to a holder an inform lock holder message to indicate to the holder that the requestor needs the particular resource (Page 8, L 20-24); receiving a lock access message from the requestor where

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the lock access message indicates that the requestor has assumed a lock mode relative to the particular resource (Page 6, L 32-33 – when the workstation sends an unlock instruction, the master is informed that the requestor had assumed the lock mode relative to the resource); and performing an update to a particular lock mode record of the plurality of lock mode records in response to receiving the lock access message, wherein the update indicates that the requestor has assumed the lock mode on the particular resource (Page 8, L 24).

Regarding claim 24, Masden discloses a processor [processing element within the holder workstation]; a computer readable medium (comprised of the cache [Page 8, L 15-18] and the storage medium for storing controls instructions/code) coupled to the processor containing a resource and a first lock mode on the resource (Page 8, L 14-18), wherein the computer readable medium [memory] stores instruction which cause the processor to perform the following: receiving at a holder an inform lock holder message that a requestor needs the resource where the holder currently holds the resource and a first lock mode on the resource and transferring the resource to the requestor [via the master/server] in response to receiving the inform lock holder message without sending a status message to a master of the resource wherein the status message is a down convert message or a release lock message (Page 8, L 20-24); and updating a lock mode record, maintained by the holder to indicate that the holder has down-converted from the first lock mode to a second lock mode for the resource (Page 8, L 24 – the holder updates the record to a sharing mode).

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4. Claims 1-2 and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Chiu et al. (USPN: 6,587,921).

Regarding claims 1 and 28, Chiu discloses sending from a requestor to a master of the resource a lock mode request for a lock mode on the resource (C 16, L 62-63); receiving the resource at the requestor from a holder of the resource (C 16, L 66) and accessing the resource as if the requestor had been granted the lock mode request without waiting to receive an express lock mode grant from the master (C 6, L 13-17; C 16, L 64-67; C 17, L 1-8). Additionally, regarding claim 28, all hardware devices are controlled by software and thus it is evident that the above features are executed via instructions stored on a computer readable medium.

Regarding claims 2 and 29, Chiu discloses detecting that the step of receiving the resource at the requestor has occurred and sending a lock assume message from the requestor to the master to inform the master that the requestor has assumed the lock mode relative to the resource (C 6, L 60-63).

Allowable Subject Matter

5. Claims 14, 23 and 41 are allowed.

6. Claims 5-6, 11-13, 20-22, 26-27, 32-33 and 38-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

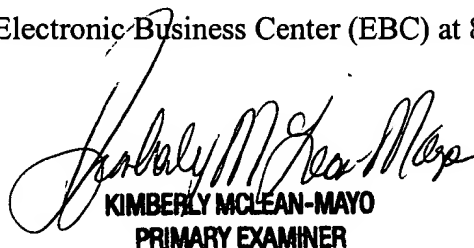
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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 703-308-9592. The examiner can normally be reached on M (10:00 - 6:30); Tues, Thr (10:00 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KIMBERLY MCLEAN-MAYO
PRIMARY EXAMINER

Kimberly N. McLean-Mayo
Examiner
Art Unit 2187

KNM

August 5, 2004